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AUG 27 2004

TTLRCL.001A

TECHNOLOGY CENTER R3700

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Erwin Karl Meimer	)	Group Art Unit 3713
			)	
Appl. No.	:	09/921,061	)	
			)	
Filed	:	August 1, 2001	)	
			)	
For	:	SYSTEM AND METHOD	)	
		FOR TEACHING	)	
			)	
Examiner	:	Kathleen M. Christman	)	
			)	

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DECLARATION OF ERWIN KARL MEIMER

I, Erwin Karl Meimer, declare and state as follows:

1. On April 30, 1997, I completed my Masters Thesis (capstone course) for the degree of Master of Business Administration at University of Phoenix, San Diego, Aero Drive campus.
2. My thesis consisted of a Business Plan for a "mock-up," non-existing business. This Business Plan was the culmination of all the knowledge acquired during his Masters Degree, which included a marketing plan, possible distribution channels, estimated sales forecasts, expected number of employees, financial statements, and a description of the concept.
3. As part of my 20-minute presentation of his thesis, I spent approximately five minutes on describing my idea for a new learning concept. Details given to classmates in attendance in regards to the technical details of the concept were very limited, as the presentation focused primarily on the marketing and financial part of the business plan. The presentation was followed by ten minutes of demonstration on a computer which I had brought into the classroom.
4. The presentation of the learning concept consisted of showing sample screens of the software. Since the software was only an illustration, the screens were only functional to the extent that a user could type answers to the questions with a simple evaluation of an answer. If an answer was incorrect, this screen (question) would be repeated a few minutes later to the user.

5. It is my understanding that the attendees to my presentation were under an obligation to maintain confidential the subject matter of my presentation. Appendix G is a copy of a portion of the University of Phoenix Code of Student Responsibility.

Penalty of Perjury Statement

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 10001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

Dated: 18-AUG-2006

By: 

Erwin Karl Meimer



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Examiner	:	Kathleen M. Christman	)	

DECLARATION OF ERWIN KARL MEIMER UNDER 37 C.F.R. § 1.131

I, Erwin Karl Meimer, declare and state as follows:

1. I am the sole inventor of the invention claimed in the above-captioned patent application.
2. During the time period in which all of the events and activities described herein occurred, I was employed by Total Recall Learning, Inc., the assignee of the above captioned application.
3. All of the events and activities described herein were performed by me personally or were performed under my supervision as part of my duties as an employee of Total Recall Learning, Inc.
4. The invention claimed in the above captioned patent application was conceived and actually reduced to practice prior to March 28, 2000 in the U.S. or a WTO country, as described below:
5. Prior to March 28, 2000, I conceived the invention claimed in the above captioned application. I have conceived of and actually reduced to practice the claimed invention at least as early as October 28, 1999 as evidenced by Exhibits A, B, C and D. Exhibit A contains a copy of an invoice, dated November 4, 1999 and indicating a shipping date of October 28, 1999, evidencing the sale of 5 CD-ROMs of the Marketing Masterfully software application having systems and methods that perform the limitations of the claimed invention. Exhibit B contains a copy of an invoice, dated November 25, 1999 and indicating a shipping date of November 22, 1999, evidencing the sale of 26 Marketing Masterfully CD-ROMs having systems and methods

that perform the limitations of the claimed invention. Exhibit C contains a copy of two payment checks, dated November 30, 1999 and December 16, 1999, corresponding to the invoices in Appendices A and B. Exhibit D is a directory listing of certain computer files created or modified prior to March 28, 2000 that embody the software application having systems and methods that perform the limitations of the claimed invention.

6. The above-identified Marketing Masterfully CD-ROMs, as sold and delivered, included systems and methods that perform the limitations of the claimed invention as shown to exist by the exhibits in Exhibits A, B, C and D, and that the systems and methods worked for their intended purpose.

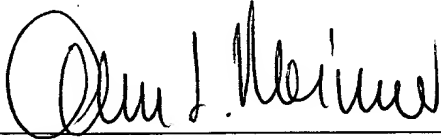
7. Exhibit E is a true reproduction of the software package that was distributed to Pt. Loma Nazarene University at least prior to March 2000. The software package is based from archive files and documents that defined the original packaging.

8. Exhibit F is a true reproduction of a marketing brochure that was used at least by March 28, 2000. The marketing brochure was printed from a file defining the brochure that was created at least by March 28, 2000.

Penalty of Perjury Statement

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 10001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

Dated: 18 AUG 2004

By:   
Erwin Karl Meimer